

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2001 - 023

**ADOPTION OF PROPOSED EMERGENCY REGULATIONS FOR
ELECTRONIC SUBMISSION OF LABORATORY ANALYTICAL DATA FOR
UNDERGROUND STORAGE TANK (UST) REPORTS.**

WHEREAS:

1. Methyl tertiary Butyl Ether (MTBE) has contaminated the drinking water supply wells of the State;
2. The Executive Director of the State Water Resources Control Board finds that an emergency exists, and that the forgoing regulation, or amendment to the regulation, is necessary for the immediate preservation of the public peace, health and safety, or general welfare;
3. AB 2886 (Chapter 727, statues of 2000) authorizes the SWRCB to require that analytical and environmental compliance data be submitted in a standardized electronic format. This legislation added Article 5 (commencing with Section 13195) to Chapter 3 of Division 7 of the Water Code;
4. Currently detailed data from underground storage tank (UST) leak site monitoring wells are relatively inaccessible as they are housed in filing cabinets in over one hundred offices; and
5. All UST regulatory agencies (local, RWQCB, and SWRCB) and water providers, as well as responsible parties and the public, should have access to analytical data regarding UST leak sites and can use this data to make better and quicker decisions.

THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board adopts the proposed regulations as necessary for the preservation of the public peace, health and safety or general welfare.

The Executive Director is authorized to transmit the proposed regulations to the Office of Administrative Law for filing with the Secretary of State.

If the Executive Director finds that there is a substantial risk that the proposed regulations will expire before permanent regulations take effect, the Executive Director is authorized to adopt emergency regulations as appropriate to provide authority for the State Water Resources Control Board to require electronic submission of laboratory reports containing soil and water chemistry data. This delegation includes authorization to make a finding or findings of emergency, to readopt emergency regulations with any revisions determined to be appropriate by the Executive Director, and to transmit any emergency regulations adopted by the Executive Director to the Office of Administrative Law for filing with the Secretary of State

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on February 15, 2001.

/s/

Maureen Marché

Administrative Assistant to the Board

For the Regulations: <http://www.swrcb.ca.gov/cwphome/ust/legal/caustreg.html>